

CITY OF SOUTH AMBOY
PLANNING BOARD
REGULAR MEETING/MINUTES
NOVEMBER 18, 2014

Members present: Michael Wilday, Mayor Henry, Councilwoman Noble, Thomas Kelly,
Richard Moran, Francis Mulvey, Bette Leibowitz, Darcy McCabe-Brew

Members absent: Frank Milatta, Peggy Scarillo, Robert Paulukiewicz

Also present: Angelo Valetutto, P.P., Jason Valetutto, Brett Carney, Esq.

Meeting was called to order followed by the salute to the Flag.

Chairman Wilday stated adequate notice of this meeting has been provided under "The Open Public Meeting Act" by advertisement.

Roll call was taken at this time.

Motion by Richard Moran seconded by Francis Mulvey to accept the Minutes of the September 24, 2014 meeting. Motion carried 4-0, 4 abstentions.

Completeness Committee

Completeness Committee member Richard Moran stated that Application # 352-14 for Amboy Aggregates has been reviewed and deemed complete subject to the requirements listed in the AJV Engineering correspondence of November 10, 2014.

Motion by Richard Moran, seconded by Francis Mulvey to deem the application complete.
Motion carried 2-0.

Per correspondence from AJV Engineering of October 24, 2014 and based on the proposal for an amended approval, the Board agreed that there was no need for a new completeness review.

Amboy Aggregates – Application #352-14

Transcript attached.

Board member Bette Leibowitz recused herself from this hearing.

Motion by Richard Moran, seconded by Francis Mulvey to close the public portion of this application. Motion carried 7-0.

Motion by Mayor Henry, seconded by Richard Moran to approve the application. Motion carried 7-0

Resolution – Amboy Aggregates # 352-14

Motion by Richard Moran, seconded by Thomas Kelly to accept the resolution as written. Motion carried 7-0, 0 abstentions.

At that time Chairman Wilday introduced Joseph Baumann, Esq., legal counsel for the South Amboy Redevelopment Agency, who provided a presentation on the Beach Club District Redevelopment Plan that the Board would be considering at their next meeting. Mr. Baumann said that the redevelopment project is slated to become a multi-family residential project with a restaurant parcel.

He indicated that copies of the presentation offered to the City Council is available on the City Website should anyone be interested in looking at it. Mr. Baumann also referred to the following City Council Resolutions: # 147-2014: Resolution to the City Council of the City of South Amboy Referring the Proposed Ordinance Allowing General Development Plans to the City of South Amboy Planning Board and Resolution; and # 149-2014: Resolution of the City Council of the City of South Amboy Approving a Redevelopment Agreement with Manhattan Beach Club Street, LLC and Certain Other Agreements with Respect Thereto.

Copies of the “Redevelopment Agreement by and between The South Amboy Redevelopment Agency, The City of South Amboy and Manhattan Beach Club Street, LLC” and “The Beach Club District Redevelopment Plan City of South Amboy, New Jersey” were provided to each planning board member in attendance.

(Copies of above mentioned plans and resolutions also are on record in the office of the Planning Board Secretary with the minutes of this meeting.)

Mr. Baumann then asked the Board to schedule a special meeting of the South Amboy Planning Board with a proposed date of Tuesday, December 2 to consider the plans provided and provide recommendations to South Amboy City Council. Mr. Baumann anticipated closing of the deal would be December 31, 2014.

Motion by Richard Moran, seconded by Bette Leibowitz to conduct a special meeting of the South Amboy Planning Board on Tuesday, December 2, 2014 at 7 p.m. Motion carried 8-0, 0 abstentions.

A&G Enterprice – Application #330-14

Jeffrey Chang, Esq. of Heilbrunn Pape representing A&G Enterprice, LLC was sworn in. He requested that the Board waive the requirement to have a stenographer. He stated that he understands that they would be proceeding at their own risk.

Motion by Francis Mulvey, seconded by Richard Moran to waive the need for a stenographer for this hearing. Motion carried 6-0.

Mr. Chang indicated that his testimony this evening would be referring to the property located at Lot 1, Block 71 with frontage on Augusta and Feltus Road. He reminded the board that this applicant received approval on April 24, 2013 for a use variance, bulk variance, preliminary final site plan for the property at the above mentioned location. In that approval, the applicant received the opportunity to extend to a third floor level with residential use on that floor and also residential use on the second floor and the first floor would be a restaurant slash pub.

The applicant this evening requests an application for a use variance, bulk variance, preliminary final site plan to utilize that first floor for residential use as well. Now the site will be three floors of residential use with three one bedroom apartments on each floor for a total of nine one bedroom apartments.

The applicant continues to see the following bulk variances: a height variance of 40 feet where 35 feet is permitted, three stories where two and a half stories is permitted and a use variance for 100 percent residential usage.

He then introduced Paul Fletcher, Fletcher Engineering, Inc., also sworn in at the start of the hearing, to familiarize the board with the site plan. Mr. Valetutto requested that Mr. Chang acknowledge receipt of correspondence dated November 11, 2014 from AJV Engineering. Mr. Chang acknowledged.

(Technical difficulties rendered a large portion of the remaining testimony inaudible. Following is a best attempt at capturing relevant details.)

Mr. Fletcher reiterated Mr. Chang's description of variances requested as well as number of floors and units per floor. He said that a traffic expert would be providing testimony regarding parking.

Mr. Fletcher also acknowledged the November 11 correspondence and said that he would comply with Sheet 1 and Sheet 2 comments of Mr. Valetutto's report.

Mr. Kelly asked Mr. Fletcher then referred to Mr. Valetutto's sheet number two, comment G. He said that there are three trees being removed and none proposed to replace them and asked, with the increase to the impervious surface, where are we proposing to place any

landscaping if any. Mr. Fletcher said that there street trees in the right of way of Augusta Street.

Mr. Valetutto said that Mr. Kelly's point was well taken and that he would much prefer that the applicant put on the record exactly what additional trees we're talking about. Mr. Valetutto said that after talking to the traffic professional, there would probably have some room for plantings on site and thus eliminates some of the blacktop – particularly in close proximity to the retaining wall.

Mr. Kelly said that toward the back of the property there is a block wall and asked if that was an existing wall. Mr. Fletcher said that that was an existing wall owned by the residents next door. Mr. Kelly asked if anyone has checked the integrity of the wall and if it would remain. Mr. Fletcher said it would remain.

Mr. Valetutto said that the integrity and modification of the wall would have to involve the neighboring property owner. Mr. Kelly expressed concern about the integrity of the wall as it relates to modifying the number of parking spaces.

Joanne Harding owner of 425, 429 and 431 Augusta and 109 North Feltus street was sworn in. She said the wall in question was reconstructed in 2011 and it's a practically new block wall. She offered her approval to raise the block wall.

Mr. Chang then introduced traffic engineer (name inaudible) who confirmed that parking on site is sufficient to service the needs of this application. He said that the property currently has nine parking spaces but believes that they can fit ten spaces and provide an area for storage plus additional landscaping. He said that he submitted the revised plan to Mr. Valetutto.

The discussion indicated that each of nine parking spaces would be designated to a particular unit and the tenth space would be handicap. Mr. Chang asked the traffic engineer for corroboration that the elimination of the previously approved first floor restaurant/bar would decrease parking demand. The traffic engineer agreed saying that the total parking requirement is six spaces less for the revised plan.

Mr. Chang asked the traffic engineer to confirm that traffic to the property also would be less on evenings and weekends with the revised plan. The traffic engineer confirmed that there would be a decrease in traffic generation.

According to a study by Rutgers regarding this type of residence, the applicant doesn't anticipate children living in this building.

Mr. Chang then introduced architect Michael Testa who provided a review of the proposed building design of the building and floor plans.

Mr. Wilday asked when the applicant would begin work on the project should they received approval. Mr. Christof Mak owner of A&G Enterprice was sworn in and stated that they are closing on the finances in the month of February. Testa testified that the intention is not to take the building down. He said they probably were going to take a good portion of the upper portion of the building. He said they would be inspecting for rot but intended to maintain as much of the building as possible.

Mr. Wilday then opened the hearing to the public.

Mr. Kenneth Pape interjected that financing is in place.

Mr. Pavlik was sworn in and said "This is nice. I hope it comes true." He expressed concern as to when they would start the project and when they would complete the project. He questioned the number of entrances to the building. He also said that the current deck is illegal and wanted to know what they would do with that.

A representative of the applicant said that the deck/porch is part of the reconstruction that would be build according to accommodate all of the codes.

Motion by Bette Leibowitz, seconded by Francis Mulvey to close the public portion of this application. Motion carried 6-0.

Motion by Bette Leibowitz, seconded by Richard Moran to approve the application.

Mr. Kelly asked that approval of this application be subject to the conditions set forth in the correspondence from AJV Engineering of November 11 and that Mr. Valetutto has the jurisdiction to oversee the design of the parking lot to include the landscaping, 10 parking spaces and recycling and garbage areas.

Motion by Bette Leibowitz, seconded by Francis Mulvey to approve the application in accordance with Mr. Kelly's comments. Motion carried 6-0

Chairman Wilday opened the meeting to the public.

There was no public wishing to speak.

Motion by Bette Leibowitz, seconded by Thomas Kelly to close the public portion of the meeting. Motion carried 8-0.

Motion by Bette Leibowitz, seconded by Thomas Kelly to adjourn. All in favor.

Stacey Kennedy